



FISCAL MEMORANDUM

HB 1732 - SB 1782

February 15, 2022

SUMMARY OF BILL AS AMENDED (013710): Authorizes a court with jurisdiction to place on administrative leave any constable who has been indicted or formally charged with a misdemeanor involving gambling, moral turpitude or a felony until the conclusion of the criminal prosecution. Authorizes the court to hold in criminal contempt any constable who does not comply with the order to commence administrative leave. Requires the court clerk, if a constable is placed on administrative leave in such circumstances, to mail a copy of the court's order to the legislative body of the legislative body of the county in which the constable serves for purposes of temporarily filling the vacant seat of the constable, as necessary. Requires the court clerk, if a constable is convicted of a misdemeanor involving gambling or moral turpitude or a felony, to mail a certified copy of the conviction to the attorney general and reporter and the appropriate district attorney general, county attorney, and city attorney to determine whether ouster proceedings should be brought

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Any increase in judicial orders or hearings as a result of this legislation will be processed by state and local court systems within the normal course of business utilizing existing resources.
- Based on information from the Tennessee Constables Association, constables in Tennessee do not receive a salary or paid administrative leave from any state or local government agency.
- There will not be enough instances under this legislation in which a court clerk is required to mail copies to result in a significant increase in local government expenditures.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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